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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/765,868	
	Filing Date	January 29, 2004	
	First Named Inventor	Tatsuzo OSAWA	
	Art Unit	2109	
	Examiner Name	Kishin G. BELANI	
Total Number of Pages in This Submission	17	Attorney Docket Number	19546.0052

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> <b>Resubmission of Amendment/Response Previously Filed on June 21, 2007</b>  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> <b>copy of Amendment / Reply filed 6.21.07</b>  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) ____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> <b>Other Enclosure(s)</b> (please identify below):  <b>Copy of Abstract of the Disclosure filed 6.21.07</b> <b>Copy of Transmittal form filed 6.21.07</b> <b>Copy of OIPE-IAPAA date-stamped Post-card filed 6.21.07</b>
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	BINGHAM McCUTCHEN LLP Intellectual Property Department		
Signature	<i>Edward A. Pennington</i> 40,161		
Printed Name	Edward A. Pennington		
Date	August 16, 2007	Reg. No.	32,588

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Application No.: 10/765,868  
Reply to Office Action of March 27, 2007



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/765,868

Applicant: Tatsuzo OSAWA

Filed: January 29, 2004

TC/A.U.: 2109

Examiner: Kishin G. BELANI

Attorney Docket No.: 419546.0052

Title: **METHOD AND APPARATUS FOR TESTING NETWORK SYSTEM, AND  
COMPUTER-READABLE MEDIUM ENCODED WITH PROGRAM FOR  
TESTING NETWORK SYSTEM**

**RESUBMISSION OF AMENDMENT/RESPONSE**  
**PREVIOUSLY FILED ON JUNE 21, 2007**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir,

Applicants respectfully submit copies of the OIPE-IAPAA's date-stamped Post-card, Transmittal Form, Amendment and Response and Abstract of the Disclosure originally filed on June 21, 2007, responding to the non-final Office Action dated March 27, 2007. Subsequent to that submission, it was brought to our attention that the documents filed on June 21, 2007 do not appear on the U.S. Patent and Trademark Office PAIR web-site and that during a telephone conversation on August 15, 2007, with a representative at OIPE informing us to file a Resubmission. With the Resubmission of the Amendment and Response, we respectfully request that the attached copies of the date-stamped Post-card, Amendment and Response, Abstract of the Disclosure, Transmittal Form filed June 21, 2007, new Transmittal Form dated August 16, 2007 be accepted and made of record according to the originally filed documents of June 21, 2007. Your timely attention to this matter is greatly appreciated.

No extension-of-time fees are due to the Commissioner, however, the Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account No. 50-4047 (419546.0052).



Date: August 16, 2007

Respectfully submitted,

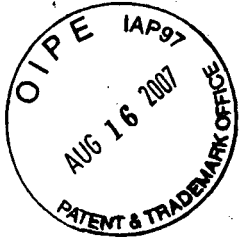
*Michael O. Pennington* 40,161  
*for*

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Edward A. Pennington

Reg. No. 32,588

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COPY

Application No. 10/765,868	Docket No.: 19546.0052
Applicant: Tatsuzo OSAWA	Atty.: Edward A. Pennington/jl
Date Submitted: June 21, 2007	

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon.

<input checked="" type="checkbox"/>	Amendment and Response	<input type="checkbox"/>	IDS w/ 1449 & _-reference
<input type="checkbox"/>	Petition for -Mo. Ext. of Time w/copy	<input type="checkbox"/>	Issue Fee Transmittal
<input type="checkbox"/>	Response to Restriction Requirement	<input type="checkbox"/>	Notice of Appeal
<input type="checkbox"/>	Resp.to Msg. Prts & Copy of Notice	<input type="checkbox"/>	Appeal Brief
<input type="checkbox"/>	Copy of Executed Declaration and POA	<input type="checkbox"/>	Maintenance fee transmittal
<input type="checkbox"/>	Priority Document	<input type="checkbox"/>	Request for Refund
<input type="checkbox"/>	Assignment & Cover Sheet	<input type="checkbox"/>	Request for corrected Filing Receipt
<input type="checkbox"/>	Req. to Approve Drawing Changes	<input checked="" type="checkbox"/>	Other: Abstract of the Disclosure
<input type="checkbox"/>	Sheet(s) formal drawings	<input type="checkbox"/>	Deposit Account Authorization
<input checked="" type="checkbox"/>	Transmittal Form	<input type="checkbox"/>	Fee Transmittal w/copy

DOCKETED

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